

MESSAGE NO: 4176305 MESSAGE DATE: 06/25/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 9100202, 4100307
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: 06/02/2014 COURT CASE #: 06-00334

PERIOD OF REVIEW: 05/01/2007 TO 04/30/2008

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 06/25/2014

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on ball bearings and parts thereof from Japan (A-588-201)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 06/02/2014, the Supreme Court of the United States denied certiorari in the case of NSK Corp. v. United States (court no. 06-00334). As a result of this decision, the injunctions to which message 9100202 refers enjoining liquidation of entries which are subject to the antidumping duty order on ball bearings and parts thereof from Japan for the period 05/01/2007 through 04/30/2008 exported by NSK Ltd. (AKA Nippon Seiko K.K. Ltd.)(NSK) dissolved on 06/02/2014.

2. Commerce has rescinded the administrative review of the antidumping duty order on ball bearings and parts thereof from Japan (A-588-201) covering the period 05/01/2007 through 04/30/2008 in part with respect to the firm listed below. You are to assess antidumping duties on this merchandise entered, or withdrawn from warehouse, for consumption during the period 05/01/2007 through 04/30/2008 at the cash deposit rate required at the time of entry.

Liquidate all entries for the following firm:

NSK Ltd. (AKA Nippon Seiko K.K. Ltd.)

Case number: A-588-201-008

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. The antidumping duty order on ball bearings and parts thereof from Japan was revoked, effective 09/15/2011 (see message 4100307 dated 04/10/2014).

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is

subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI:TES.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party